

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6832**

**BILL NUMBER:** HB 1287

**NOTE PREPARED:** Feb 2, 2006

**BILL AMENDED:** Jan 30, 2006

**SUBJECT:** Transportation.

**FIRST AUTHOR:** Rep. Duncan

**FIRST SPONSOR:** Sen. Landske

**BILL STATUS:** As Passed House

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill has the following provisions.

*Newspaper and Electronic Means for Receiving Bids:* It requires the Department of Transportation to: (1) publish a notice of the time and place for the receiving of bids for a state highway contract in a newspaper; and (2) provide electronic access to the notice through the computer gateway administered by the Office of Technology.

*Removal of Vehicles:* It provides for the removal of a vehicle left in the clear zone adjacent to an interstate highway for more than 24 hours.

*Worksite Zone Fee:* It authorizes the collection of a highway worksite zone fee under certain circumstances.

*Toll Bridge Provision:* The bill provides that a certain toll bridge owned and operated by the Indiana Finance Authority (IFA) becomes the property of the state and may be operated as a toll bridge, and that any reserve funds held by the IFA for certain future toll bridges in the same county are transferred to the Indiana Department of Transportation.

**Effective Date:** July 1, 2006.

**Explanation of State Expenditures:** *Newspaper and Electronic Means for Receiving Bids:* This part will require the creation or addition to existing web page of INDOT. Expenditures related to the web page creation are expected to be minimal. On average over the last three fiscal years, INDOT has spent approximately \$5,800 on newspaper advertising for bids.

*Removal of Vehicles:* This provision will add to the workload of the State Police. Specific expenditures related to this activity are indeterminable. The funds affected are the state General Fund, the Motor Vehicle Highway Account, and the Motor Carrier Regulation Fund, all of which support the State Police.

**Explanation of State Revenues:** (Revised) *Worksite Zone Fee:* Under current law, if a criminal action, infraction, or ordinance violation violates speed limits in a worksite zone or is a failure to merge, a court may impose a highway work zone fee of \$25.50. (For other traffic violations, the fee is \$0.50). Under the bill, reckless driving that endangers the safety of an individual authorized by INDOT to be in a highway worksite zone is added to the list of circumstances that require a \$25.50 fee.

*Background on Worksite Zone Fee:* This fee is designated for the Highway Department to pay for the cost of hiring off-duty police as guards at such work zones. The fee is distributed to the State User Fee Fund by the clerk of the court.

(Revised) *Toll Bridge Provision:* Under current law, a bridge constructed to an adjoining state that crosses the Wabash River cannot become part of the system of state highways free of tolls or a tollway. Instead, the tolls collected after the bonds are retired and all funding fully reimbursed are distributed to the Indiana Finance Authority (IFA) for operation and maintenance of the toll bridge and for a reserve fund for construction of other bridges over the Ohio River originating in the same county as the toll bridge.

Under the bill, on July 1, 2006, the bridge to which this section applies would become the property of the state of Indiana. The bridge would be operated and maintained by INDOT. INDOT could collect tolls for use of the bridge and use the revenues to operate and maintain the bridge.

The reserve funds that are set aside for construction of other bridges over the Ohio River would transfer to INDOT. Also, the funds in the Interstate Bridge Fund would transfer to INDOT, under the bill. The Interstate Bridge Fund is used to pay the cost of constructing or acquiring, by purchase or condemnation, highway bridges and approaches to bridges, to pay the cost of enlarging, extending, or improving any such bridge or approach, or to pay the principal and interest on bonds issued.

(Revised) *Background on Toll Bridge Provision:* The IFA is a body politic and corporate, not a state agency, but an independent instrumentality exercising essential public functions. To the extent that a toll bridge would become part of the system of free highways or a tollway, a new funding source would have to be found for maintenance and operation, which could include appropriations of state General Fund, tolls, or federal highway funds, for example.

The Wabash Memorial Bridge Fund balance as of June 30, 2005, was \$4.7 M. For FY 2005, toll revenue was \$850,747 and expenditures were \$543,246. The Interstate Bridge Fund has total assets of \$12.7 M, of which \$6.4 M is cash or cash equivalents and \$6.3 M is securities lending collateral.

**Explanation of Local Expenditures:** *Removal of Vehicles:* This provision will add to the workload of police entities involved: city and town police departments and county sheriff's departments. Specific expenditures related to this activity are indeterminable.

### **Explanation of Local Revenues:**

**State Agencies Affected:** Department of Transportation; Indiana Finance Authority.

**Local Agencies Affected:** Trial courts; Local law enforcement agencies.

**Information Sources:** Chris Kiefer, INDOT, 317-233-3601; State Auditor, *Revenue Trial Balance, June 30, 2005*; *BMV Citation Report*; U.S. Department of Transportation, Federal Highway Administration, *Highway Statistics*.

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